

REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

April 3, 2006

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, April 3, 2006, at 9:00 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 37109-070505 adopted by the Council on Tuesday, July 5, 2005.

PRESENT: Council Members Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr., (arrived late), Beverly T. Fitzpatrick, Jr., Sherman P. Lea Brenda L. McDaniel and Mayor C. Nelson Harris -----7.

ABSENT: None-----0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to §2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request of the Mayor to convene in Closed Meeting as abovedescribed. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea McDaniel and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Dowe and Wishneff were not present when the vote was recorded.)

Council Members Dowe and Wishneff entered the meeting.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:

ITEMS LISTED ON THE 2:00 P. M. COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO THE 2:00 P. M. AGENDA:

BLUE RIDGE BEHAVIORAL HEALTHCARE: Council Member Cutler inquired about an e-mail from a citizen expressing certain concerns with regard to a communication from the City Manager recommending that Blue Ridge Behavioral Healthcare act as its own fiscal agent.

The City Manager responded that the e-mail from Christene Montgomery, Chair, Mayor's Committee for People with Disabilities, referenced certain concerns with regard to practices of Blue Ridge Behavioral Healthcare and did not relate to the fiscal agent issue.

ITEMS FOR DISCUSSION AT A JOINT MEETING OF COUNCIL AND THE ROANOKE CITY SCHOOL BOARD ON MONDAY, MAY 1, 2006 AT 9:00 A.M.:

COUNCIL-SCHOOLS: With the concurrence of Council, the City Manager advised that the meeting will consist primarily of discussion with regard to the fiscal year 2006-2007 Roanoke City School budget.

The Mayor requested that Members of Council submit agenda items to the City Clerk.

BRIEFINGS:

CODE ENFORCEMENT UPDATE:

HOUSING/NEIGHBORHOOD CODE ENFORCEMENT: The City Manager advised that code enforcement has been an area of concern for the City for a number of years; and Lieutenant Bryan "Todd" Clingenpeel - Police Department, Ford Weber - Director, Housing and Neighborhood Services, in conjunction with Rolanda B. Russell - Assistant City Manager for Community Development, and the Commonwealth Attorney's Office worked as a team to study code enforcement initiatives that will involve major revisions to the Roanoke City Code. She called on Lieutenant Clingenpeel and Mr. Weber for an indepth briefing on proposed initiatives.

Lieutenant Clingenpeel advised that Code enforcement efforts will involve staff from Neighborhood Services, Code Enforcement, Solid Waste Management, Police Department, Environmental and Emergency Management, and the Fire Marshal's Office.

Crime Prevention through Code Enforcement:

It is the responsibility of citizens and caretakers of the City of Roanoke to keep the City safe and beautiful.

City of Roanoke Philosophy - To promote decent, safe and sanitary living conditions and increase property values throughout the City of Roanoke by striving to eliminate illegal dumping, litter, dilapidated and abandoned buildings, inoperable motor vehicles, and other blighting influences in the neighborhoods.

Grime Equals Crime - 'Fight the Blight':

- Accumulated Trash and Unclean Areas
- Trash and Clutter
- Inoperable Motor Vehicles
- Vacant Structures
- 'Broken Window Theory' - Broken windows, accumulated trash, and deteriorated building exteriors can indicate that no one is taking care of the neighborhood and can lead to more deterioration in the neighborhood and an increase in crime.

Past Code Enforcement Activities:

- Weeds and Trash ordinance adopted on May 14, 1979
- Eyesore Alert Program - 1983
- Inoperable Motor Vehicles adopted on January 1, 1996
- Rental Inspection Program adopted on July 1, 1996
- Inter-Agency Code Enforcement (ICE) Team - 1998
- Drug Blight Ordinance adopted on February 7, 2000
- Graffiti Abatement ordinance adopted on March 5, 2001

Current Efforts:

- A Guide to the City of Roanoke's Nuisance Ordinances (April 16, 2004)
- ICE Team Enhanced (September, 2004)
- Bawdy Places Ordinance adopted on November 21, 2005

Reasons for New Efforts Toward Code Enforcement:

- Continued citizen complaints regarding crime, blight and code violations
- Bulk items left on the streets for extended periods of time
- Abandoned vehicles, abandoned properties and absentee landlords
- Influx in vacant structure fires
- Level of citizen satisfaction in the areas of weed abatement, collection of bulk items, etc.

Exploring 'Best Practices':

- Roanoke Neighborhood Advocates and the Commonwealth Attorney's Office sponsored a presentation by the City of Norfolk on September 29, 2005
- City of Roanoke personnel and citizens were exposed to an aggressive, cooperative and effective code enforcement program
- A follow-up trip was made to Norfolk by City staff on January 30, 2006

Identifying Top Code Enforcement Complaints:

- Inoperable Motor Vehicles
- Weeds and Trash
- Outdoor Storage
- Property in need of maintenance
- Illegal signs
- Illegal set-outs
- Illegal fences
- Commercial vehicles in residential zones
- Right-of-way visibility
- Illegal business
- Abandoned and open structures

Identifying a Systematic Approach to Code Enforcement:

- 1) Reorganize
- 2) Strengthen partnerships
- 3) Adopt additional ordinances, fees and penalties
- 4) Educate/evaluate

Reorganizing

Staff Assignments:

- Deployment of code enforcement, fire, solid waste personnel, and police as a special team
- More involvement of Police Officers, Fire Inspectors and Solid Waste employees in the citing of code violations
- 'Co-extensive Authority' to issue violations

Process:

- Creation of a 'Uniform Notice of Violation' containing code section, penalty and method of abatement of problem
- Change in Notifications to Violators, UNOV posting on the door and hand-delivery, placards to be issued by Fire, Inspectors, and Health Department for unsafe structures
- Investigate possible notification changes for property managers when dealing with evictions and 'move outs' in order to take immediate action to clean up items left on property for disposal
- Establishment of a Commonwealth Attorney (special prosecutor) component to prosecute code violations cases, which will develop a relationship with the court and help identify repeat offenders

Tracking System:

- Enhancement of the database available on the City's website
- Enhancement of citizen capability to track problem locations and to view actions taken
- Use of a mapping system to identify problem property owners to increase accountability

Strengthening Partnerships

- Five C's – Citizens, City Departments, Commonwealth Attorney, the Court, and Community (Businesses and Neighborhoods)
- Continue to work with citizens to problem solve and seek solutions to blight in their own neighborhoods
- Continue to work with the Roanoke Neighborhood Advocates and neighborhood groups to seek input

Ordinances/Fees/Penalties

Code revisions, new code sections, adoption of ordinances by June 2006

Change penalties to maximum allowed by State law by June 2006

Introduction of new legislation by January 2007

Educate/Evaluate

- Cross-train Department personnel - City staff will have knowledge to identify potential problems and take action
- Educate citizens on code issues - Presentations in neighborhoods to inform citizens of problems and action that can be taken
- Develop a Reference Guide for City Employees and Citizens - City employees will have a step-by-step procedure to address particular problems, contact person for any registration or licensing issue

Conclusion:

It is the responsibility of citizens and caretakers to work together to keep the City of Roanoke safe and beautiful.

'Fight the Blight' can be addressed with:

- A team approach
- Expansion of code enforcement responsibilities across departmental lines
- Cooperation and buy-in from all citizens and involved departments at all levels of leadership

Program Implementation Target Date: July 1, 2006

The City Manager advised that the City of Roanoke needs to raise community standards with regard to what is allowed in Roanoke's neighborhoods; for too long there has not been a clear understanding of community standards, the system to support the activity has also been unclear, and the City should adopt a "zero" tolerance relative to those property owners who do not abide by community standards. She suggested involvement by the news media to raise the awareness of property owners/citizens that the City of Roanoke will not tolerate those property owners who do not take care of their property.

Council Member Dowe asked how often the tracking system will be updated; whereupon, Mr. Weber stated that the tracking system could be updated almost immediately, and City staff will be responsible for updating information on a daily basis during the work week.

Council Member Dowe inquired as to how accountability for weed control will be integrated into property that is owned by the City of Roanoke.

The City Manager advised that it will be necessary for the City to abide by the same standard that is applied to the community as a whole and as the City becomes more efficient with clearing public rights-of-way, citizens will begin to clean up their property. She stated that due to budget constraints, it was necessary to increase the period of time between cuttings on City properties, and additional resources may be required to accomplish more frequent cuttings, especially in park areas.

Council Member Wishneff stated that New York City took this type of approach with great success, and suggested that the City Manager schedule a news event to launch new code enforcement initiatives.

Council Member Wishneff inquired as to who will be authorized to issue notices of violations; whereupon, the City Manager stated that employees of Solid Waste Management, Streets and Traffic, Public Safety and Code Enforcement Departments will have the ability to issue citations and all information gathered by employees will be entered into a database that will be utilized in court proceedings.

The City Attorney stated that ultimate authority will depend on the specific type of code enforcement, and various enabling statutes will need to be followed accordingly; and there are numerous ways to deal with issues, such as criminal or injunctive relief and other self-help measures or statutes that allow localities in some cases to actually seize property.

The City Manager advised that it must be proven to the court that an illegal activity has occurred and a 30-day notice must be given to the property owner. She stated that a suggestion has been made that the City should seek additional legislative authority for instances of multiple occurrences on the same property over a certain period of time; and the City will pursue the legislative route, however, the Dillion Rule requires permission for some of the measures that involve private property rights. She stated that photographs will be taken of properties that involve code enforcement issues that will be used in court proceedings in order to demonstrate the severity of the problem.

Council Member Wishneff inquired with regard to the time frame to address properties that are used for illegal drug activities; whereupon, it was advised that a minimum of 45 days is required.

Council Member Lea inquired if the judiciary will be briefed on the proposed code initiatives; whereupon, the City Manager stated that in the past, the City administration has been advised that it should not make these types overtures to the judiciary, and due to the level of interest in the neighborhoods, citizens may be in the best position to make a request for judiciary support. Mr. Weber stated that a new position in the Commonwealth Attorney's Office has been requested for the purpose of addressing code violations and an ordinance increasing penalties, fines and incarceration will be proposed. The City Manager stated that certain internal actions will need to occur such as staff training and preparing staff to be better witnesses in court cases.

Vice-Mayor Fitzpatrick suggested that there be follow up with the City's Legislative Committee with regard to any changes that need to be addressed at the 2007 Session of the Virginia General Assembly.

Council Member Cutler stated that interdepartmental cooperation will be necessary, and the City should improve on its oversight of various contracts to ensure that City facilities are properly maintained. He congratulated the Clean Valley Council for hosting Clean Valley Day, and complimented the City Manager's initiative to maintain the banks of the Roanoke River through the City's Parks and Recreation Department.

Council Member Cutler inquired if photography will be used to document certain code violations as a part of court proceedings; whereupon, Mr. Weber stated that the City has established a plan to utilize digital and video cameras to document violations.

Council Member Cutler inquired if the record keeping process will be comparable to the process currently used to identify repeat offenders under the City's new parking violation program.

Lieutenant Clingenpeel explained that the tracking system will allow the City to provide information regarding the date, penalty and sentencing for each violation, and the prosecutor will have the appropriate information in a report format on each case before the court; and if approved by the City's Legislative Committee, a proposal will be included in the City of Roanoke's 2007 Legislative Program to authorize an increased fine for repeat violations and, in many cases, the fine could escalate.

Council Member McDaniel suggested that a uniform telephone number be published so that citizens will know where to report code violations.

The City Manager expressed appreciation for the positive comments and input by Council, and advised that the issues represent common problems that impact the workload of all City departments. She stated that timing and buy-in will be important, and over the years, neighborhood organizations have become stronger and more committed to raising and to being held to a higher community standard. She added that it may be necessary to request additional resources in the future, and by sharing the workload, more work can be accomplished by City staff.

POLICE INITIATIVES:

The City Manager called upon Joe Gaskins, Chief of Police, to present a briefing on police initiatives relating to crime and ongoing police activities.

Chief Gaskins advised that:

Recent published reports concerning the crime rate in Roanoke are not indicative of the daily efforts of police officers. The Police Department realizes that crime reduction is an integral component of its over all efforts. In response to published reports, as well as Police Department findings, he reviewed the following programs and accomplishments:

O-Tolerance for Patrol Officers and Other Uniform Personnel

Using the Broken Windows Theory of crime reduction, officers have begun to make arrests on many violations. Selective traffic enforcement generally leads to arrests of a more serious nature.

An example would be on Friday or Saturday night, people will leave a night club around 1:30 – 2:00 a.m., caravan in about 40-50 vehicles to local stop-in's, once they reach their destination, they congregate on the lots, play loud music, and dance which leads to fighting, which sometimes leads to shooting. (Police want to take a practical approach, and work with business owners with regard to those persons who trespass on the property and arrest those persons at the onset who act in the 'disorder' mode before they move to more violent crime.)

Orange Avenue, N. E., 157 summonses were issued in order to reduce traffic accidents.

Grant funded aggressive driver enforcement - 472 summonses were issued over a period of six months.

Two Williamson Road traffic check points produced 117 arrests for criminal and traffic-related violations.

More drugs are confiscated during traffic arrests than during drug investigations.

Warrant Service

Persons wanted for violations of crime usually commit more crime. Arresting these individuals sooner will reduce the number of incidents. To do this, the Police Department is:

- having more warrant service days;

- concentrating on individuals with multiple warrants and lengthy criminal histories;

promoting efforts like OPERATION INKED (March 29 - 30, multi-agency effort to arrest wanted people after placing 3,100 names in the newspaper, results were 474 persons arrested and 512 warrants served, two complaints were filed because their names were published in the newspaper.)

additional arrests are expected after completion of the investigation of approximately 200 leads.

Reduce Sex Crimes and Violence Against Women

The Police Department has surveyed warrants to identify past sex crime offenders and prioritized those individuals for arrest on outstanding warrants.

The Police Department has reviewed the sexual predator registry to identify past sex offenders not registered; and two were located, one of which has been arrested.

Re-Focus Street Crimes Unit

Concentrate on those areas (not specific crimes) that provide the greatest amount of violent crime statistics.

Focus on crime hotspots and crime trends, not the crime of the day.

Narcotic reversal operations in the hot spot areas netted 30 arrests for drug related crimes.

Violent Crimes/Organized Crime Task Force (VCTF)

Created to reduce drug-related violent crime; one drug related murder has occurred since January 2004.

Originally identified eight narcotic organizations and 75 persons as targets. In two years, the unit has removed seven of the eight organizations from the community by arresting over 80 persons associated with the groups.

Seized \$800,000.00 in money and vehicles, \$480,000.00 in cocaine and marijuana, and 98 firearms over a period of 27 months.

The Police Department would like to implement new technology known as 'gunshot detector' through the use of grant funding. The equipment will detect a weapon that is being discharged in a neighborhood by cameras triangulating on the sound and taking a photograph of a particular area.

Crime Prevention Through Environmental Design (CPTED)

New initiative to reduce crime in apartment communities.

Police Officers will complete crime prevention assessment surveys for property owners signed up with the program.

Property owners will make suggested improvements.

A portion of improvement costs will be refunded to property owners through the Community Development Block Grant program.

Retention and Recruitment

The January 2005 pay increase resulted in increased recruitment and retention.

18 months ago, the Police Department experienced its worst officer shortage in history, with approximately 36 positions, or 14% of allocated positions vacant.

Currently, five police officer positions are vacant, three of which are due to retirement.

The Police Department now selects from a larger number of qualified applicants.

Cops in the Neighborhood

The Take Home Car Program has increased the number of police officers living in the City from 21 to 63 over a five-year period, which is a 200% increase.

Two officers live in lower income neighborhoods in houses that were renovated by the City. Future expansion of the program is expected.

Clearance Rates Above National Average

A crime is cleared when the suspect is arrested, or when a suspect is identified and the prosecution of the suspect is declined.

A glitch in the system has been detected, i.e., the Police Department will report 300 aggressive assaults to the State, however, when the number arrives at the State, it may be 400-450.

	<u>Roanoke</u>	<u>National</u>
Aggravated Assault	78%	56%
Homicide	69%	63%
Rape	71%	42%
Robbery	33%	26%
Burglary	25%	13%
Larceny	28%	18%
Motor Vehicle Theft	47%	13%
Arson	66%	17%

Chief Gaskins stated that there has been an upturn in violent crimes in the City of Roanoke, and the Police Department has taken steps to address the issue through such initiatives as the Violent Crimes Task Force, Street Crime personnel, "gunshot detector" equipment, and serving more warrants in order to take more people off of the streets who are committing crimes.

Council Member McDaniel requested that Chief Gaskins address the issue of gang activity in Roanoke; whereupon, he stated that there are individuals in the City of Roanoke who refer to themselves as a gang; however, the Police Department has refused to recognize them as gangs, but prefer to call them criminals because they break the law, they are arrested and placed in jail, and glorifying these individuals with a special name does not add anything to what the Police Department is attempting to accomplish. He stated that a task force was established in 1998-99 to track those persons who are involved in various groups that consider themselves to be part of a gang, and the task force continues to meet and to arrest persons who are associated with the various groups.

Council Member Cutler congratulated Chief Gaskins and the Police Department on crime prevention efforts, and specifically cited community policing initiatives and Operation Ink.

Council Member Cutler requested that Chief Gaskins provide an example of crime prevention through environmental design; whereupon, Chief Gaskins advised that numerous actions could be taken to affect the behavior of individuals; i.e., apartments that have dark and unlit areas could be improved by adding lights, the planting of shrubbery that would discourage personal contact, and closing breezeways by directing persons elsewhere. He stated that upon requests police officers conduct safety assessment surveys (known as target hardening) to determine measures that could be taken to help prevent crime before it reoccurs, or before crime initially occurs.

Council Member Dowe commended Chief Gaskins on crime prevention efforts by the City's Police Department. He stated that the City of Roanoke is considered to be one of the more pro-active communities in the nation with respect to law enforcement efforts and responsibilities.

Council Member Lea commended the Police Department and the various departmental initiatives, and asked that law enforcement move aggressively on the issue of domestic violence.

Council Member Lea inquired if there is gang activity in the City of Roanoke, or does the Police Department refuse to call certain persons or groups gangs, even though they engage in the same activities as gangs.

Chief Gaskins responded that there is the basic "want to be a gang" group composed of home-grown people who come together and commit crimes when there is an opportunity, and there is no chain of command within the group. He stated that the basic gang, such as the "Bloods" and "Cripts", are formulated with people in charge, and engage in a specific crime that is used for profit; and Roanoke has the home-grown group, who, for example, might walk by a car and if the window was open, they would take a cell phone from the car seat, that might be on the seat, or deal dope in the neighborhood. He stated that these are the types of people that the Police Department refuse to glorify by referring to them as gangs because they are criminals who should be put in jail whenever there is an opportunity; and the City is taking the necessary action in terms of enforcement.

The City Manager advised that often times, pro-active cities such as the City of Roanoke are left out of Federal funding, and because the City took the initiative after September 11, 2001, to train employees in Homeland Security, Roanoke has become a trainer for other localities in the nation on Homeland Security. She stated that the Police Department has employed a detective who serves on a National Board dealing with gangs and travels around the Commonwealth of Virginia to train other police officers with regard to identification and investigation of gangs, and the Police Department is aware of any problems and maintains a data base containing information captured during investigations.

Council Member Wishneff requested a clarification of the term, "and the prosecution of the suspect is declined", as previously referenced by Chief Gaskins.

Chief Gaskins responded that the term refers to a sexual assault case where the suspect is known, but the victim refuses to prosecute, or for some reason the Commonwealth Attorney's Office declines to prosecute the crime, and there are instances when the Police Department does not have as much impact in certain circumstances because the responsibility of prosecution falls under another entity of the criminal justice system. The City Manager called attention to issues in connection with domestic violence where certain circumstances might encourage people, either consciously or unconsciously, to sometimes decline prosecution. She stated that the City is investigating ways to enforce prosecution after multiple actions have been reported, because there are instances when police officers respond to a domestic violence call on repeated occasions, and when the case goes to court the affected parties have temporarily reconciled which is often not a permanent resolution. She added that prosecution of a case is the call of the Commonwealth's Attorney and the City is attempting to educate and train staff on how to better present a case in order to have more cases prosecuted through the court system.

The City Manager stated that with the Council's endorsement, an additional attorney for the Commonwealth Attorney's Office will be funded 100 per cent through local funds in the 2007 fiscal year budget to prosecute code enforcement cases exclusively; and the present Council and succeeding Councils will be called upon to consider the provision of more resources to the Commonwealth Attorney's Office in order for the City to aggressively prosecute code enforcement cases.

Mayor Harris referred to a recent article in *The Roanoke Times* that quoted certain disturbing crime statistics with regard to the City of Roanoke that were portrayed as being a reflection of reality when, in fact, it is widely known that crime statistics, while helpful to some degree, are reported in different ways by different communities, with different levels of under-reporting. He stated that the use of crime statistics as a portrayal of the reality of a community is extremely unfortunate, because it is a well known fact that statistics are flawed in a number of areas. He noted that within two - three days after the article was published, he received a detailed letter of apology from the author who made statements regarding the Roanoke community that had no basis academically and went well beyond what any legitimate academic research would have concluded, to say that Roanoker's were mean and that Roanoke was not a safe place for women and children based on a very cursory review of certain statistics. He further stated he was given permission to share the letter, and did so with the City Manager and the Chief of Police, but he decided against sharing the contents of the letter with the news media because there was no benefit in continuing the dialogue, and he offered to make the letter available to any member of Council who wished to receive a copy. He further stated that ten additional police officers will be recommended by the City Manager in the 2007 fiscal year budget, and based upon initial responses, the Members of Council are supportive of the recommendation.

13th STREET/HOLLINS ROAD TRANSPORTATION PROJECT UPDATE:

Robert K. Bengtson, Traffic Engineer, and Kenneth H. King, Jr., Manager of Transportation, presented the following update:

Hollins Road/13th Street Extension
VDOT Project No. U000-128-113

Typical Section

- Four-lane typical from Orange Avenue to Wise Avenue - 35 mph design speed
- Surrounding properties are industrial/commercial
- Four-lane bridge
- Two-lane typical from Wise Avenue to Dale Avenue - 25 mph design speed
- Surrounding properties are more residential
- Minimizes impact on neighborhood both visually and from right-of-way acquisition need
- Bike lanes included throughout
- Crossing overhead utilities only placed underground
- Wide medians and sidewalks set back from the curb line to increase landscaping opportunities

Roundabouts vs. Signalized Intersections

- 13th and Tazewell - existing signal proposed to be removed
- 13th and Wise - currently not signalized, projected traffic volumes would meet warrants for a signal
- Signals would require additional lanes and associated larger footprint
- Roundabouts meet traffic needs, provide gateway and aesthetic opportunities, and can better control travel speeds

Left turns will be restricted at certain streets - Campbell Avenue, Kirk Avenue, Church Avenue, Stewart Avenue

- turn restrictions ensure efficient traffic flow and minimize the number of lanes, especially turn lanes
- these streets extend only a few blocks in either direction
- main arteries into Downtown are maintained

Schedule

- Citizen Information Meeting - Wednesday, May 17, 2006
Fallon Park Elementary School
5:00 – 7:00 p.m.
- Public Hearing - Spring 2007
- Right-of-Way acquisition begins - 2007
- Construction advertisement - 2010

Mr. King called attention to discussions spanning a number of years with regard to the 13th Street improvement project, which would basically continue north to Orange Avenue, the key improvement being the grade separation at the railroad tracks which would enhance mobility and movement of traffic; the 13th Street project was the only project that was removed from the Six Year Transportation Plan for a brief period of time and was reinstated in a subsequent fiscal year; the project is now in the phase of finalizing the conceptual plan, followed by the preliminary plan, and VDOT citizen participation meetings will begin in May to address design issues. He explained that the task is to connect southern and northern communities and to afford better mobility, while remaining supportive of neighborhood environments and goals; two distinct components to the project are: the southern end has more of a neighborhood characteristic and the northern end has an industrial characteristic, and includes the Solid Waste Transfer facility, which has an attractive and presentable appearance and will influence the general theme in that portion of the project. He explained that landscaping is very important and VDOT has assigned staff from the Richmond office to work on that particular component of the project. He stated that “roundabouts” are an option, as well as more traditional signalized intersections; the

key is travel speed, as well as character; since “roundabouts” collect the travel path of vehicles, speed will have to be reduced in order to comfortably navigate turns; and with “roundabouts”, left turns are made by continuing counter-clockwise around the circle, negating the need for a left turn lane, leaving space that affords an opportunity for landscaping and making a gateway into the community. He added that the Comprehensive Plan for the area estimates traffic volume in the northern section to be about 21,400 vehicles per day, and the southern section through neighborhoods to be about 14,400 vehicles per day; therefore, the northern portion will need to be a four-lane road throughout, the southern portion can be a two-lane road, with landscaping and a mature tree canopy along the curb through the neighborhood and a restriction of left turn lanes in order to enhance roadway safety. He stated that another key component of the project is the bridge over the railroad tracks, which must be aligned more to the east in order to span the tracks without a center support and to keep the width more manageable; several buildings located in the area will be affected and VDOT will fine tune the impact and precise design.

The City Manager called attention to future plans to widen Orange Avenue from 13th Street to Gus Nicks Boulevard to six lanes in the next Six-Year Transportation Plan Update, which has a bearing on increasing the northern portion of 13th Street to four lanes.

Council Member Cutler inquired if the roundabouts at Wise Avenue and 13th Street will be designed to accommodate large trucks; whereupon, Mr. King stated that the roundabouts will be designed to accommodate full tractor trailer type trucks.

Mr. King advised that Orange Avenue is not the end of the 13th Street project, and upgrades will be needed at the intersection of Orange Avenue, possibly with dual lanes coming off of Orange Avenue onto 13th Street; at the southern end, near Dale Avenue, which is one block away from the tie-in with Jamison and Bullitt Avenues, there may be a desire to continue the landscaping island up to the signalized intersection, rather than ending the landscape island in advance of a wide asphalt area; and the City is working with VDOT officials to install the majority of utilities underground where they cross the roadway, however, a major transmission line is not capable of being placed underground.

Council Member Dowe inquired if roundabouts are an option, or an element of a conceptual plan; whereupon, Mr. King advised that VDOT and City staff recommend roundabouts with the knowledge that there are currently no roundabouts in any community in the City of Roanoke, and the standard signalized intersection has also been included for discussion.

Council Member Dowe advised that with roundabouts, emergency vehicles could be challenged because travel time could be decreased by ten seconds to make a left turn in a counter-clockwise lane, therefore, he suggested that the City obtain input by VDOT. Mr. King responded that there will be more information at the public hearing with regard to roundabouts in general as well as information on the experience of VDOT with regard to roundabouts in other parts of the state. He noted that roundabouts can be confused with traffic circles with stop signs at various places within and yield signs will be installed for traffic that is already in the circle; specific design and functional aspects are associated with roundabouts, and years of European experience and knowledge regarding roundabouts will be helpful in designing roads and addressing issues such as road grade.

Vice-Mayor Fitzpatrick stated that the roundabout concept would help neighborhoods and provide a good use of pavement and beautification. He stated that traffic volume on Wise and Tazewell Avenues would not cause any major problems, and roundabouts would be a favorable concept to complete the last major artery project into the City.

Council Member Cutler inquired as to the diameter of the island in the right-of-way; whereupon, Mr. King stated that typically, there are two islands in the roundabout, a landscaped island in the center and some type of raised apron constructed of brick or concrete on the outside area, with the overall diameter of the inside circle being approximately 110 - 150 feet across, which would afford sufficient space for landscaping or public art.

On behalf of the Council, the Mayor expressed appreciation for an informative briefing.

Dr. Martin Luther King Jr. Memorial Bridge Project Update.

Scott Hodges, representing Hayes, Seay, Mattern and Mattern, presented the following:

Background

- Council reviewed four concepts for the Dr. Martin Luther King, Jr., Memorial Bridge in September 2004; Alternate B - restore the existing bridge for unrestricted pedestrian use was chosen as the desired alternate; eliminated vehicular use
- Estimated 2004 bridge design cost was \$200,000.00
- Estimated 2004 bridge project cost was \$2.2 million
- Estimated 2004 MLK enhancement features project cost was approximately \$500,000.00, which includes the statue, platforms, columns, etc.

Project Status

- Total Estimated 2004 Project Cost was \$2.9 million
- Project advertised in February 2006
- Bids received in March 2006
- Two bidders on the project:
 - Allegheny Construction - \$2,779,528.00
 - DLB, Inc. - \$2,819,572.00
- Total estimated project cost in 2006 - \$3.9 million, which includes all project elements and features such as statue and MLK memorial items

Cost Differential (2004-2006)

- Total estimated 2004 project cost - \$2.9 million
- Total estimated 2006 project cost - \$3.9 million
- Cost differential (2004-2006) - \$1 million

Factors Impacting Construction Costs

- Virginia Department of Historic Resources (VDHR) requires use of stone masonry
- VDHR requires replication of the existing railing
- Structural steel price increases in a volatile market
- Cement price increases
- Diesel fuel and gasoline price increases
- Hurricane Katrina, August 2005

Quantifiable Construction Cost Increases

- Stone masonry - \$50,000.00
- Replication of the existing railing - \$150,000.00
- Average Project Inflation September 2004 to September 2006, 10% - 12% = \$300,000.00
- Total Quantified Increases - \$500,000.00

Non-Quantifiable Construction Cost Increases

- Federal money requires the use of Federal wage rates
- Federal money eliminates pre-award negotiations
- Federal money requires DBE participation of 7%
- Federal money requires VDOT participation

The City Engineer reviewed the following funding options:

- Re-Bid the project with removal of some enhancements
- Re-Bid the project without Federal requirements
- Move with VDOT consent excess funding from the Wonju Street Project to cover the difference
- Award the project and value engineer the project for savings (50% contractor/50% City Benefit); City covers the difference to award the project
- Award the project; City covers the difference to award the project.

Due to recent changes in Wonju Street/Colonial Avenue enhancements, the City Manager advised that the City has \$5 million in excess funds in the Six-Year Plan, for the Wonju Street project. She called attention to the uniqueness of the situation which allows the City to reallocate Federal funds to a locally funded project.

Vice-Mayor Fitzpatrick requested assurance that the transfer of excess funds will not affect the new plan for Wonju Street/Colonial Avenue enhancements.

The City Manager explained that originally, several million dollars were allocated to the Wonju Street/Colonial Avenue project; however, a solution for the Wonju area was identified that would not require the same magnitude of funds; therefore, she proposed that any excess monies be transferred to cover the balance of funds needed for the Dr. Martin Luther King, Jr., Memorial Bridge, although the City could request more than the \$1 million difference to replenish City funds that have been allocated to the MLK project. She stated that given the cost of projects today, having the option to use excess funds would allow the City a level of flexibility; however, it will be necessary to discuss the matter with VDOT officials to determine if there is support for the use of funds beyond \$1 million, and to ensure that the MLK project will move forward in a timely manner.

It was the consensus of Council to concur in the City Manager's proposal.

Century Square Update

Steve Buschor, Director, Parks and Recreation, advised that Century Plaza is a non-traditional park located across the street from Fire Station No. 1; the City has partnered with Local Colors to create a venue for cultural entertainment during the summer months, and events will be tentatively scheduled on a monthly basis, depending upon resources, availability of entertainment, vendors, etc.

Gary Hegner, Park Superintendent, advised that City staff received approval from the Architectural Review Board in January 2006 to install awnings in Century Plaza; \$8,800.00 was included in Phase I for the purchase of additional furniture, including one 6' curved bench with back, two 6' straight benches with back, two individual chairs with back and arms, three 40" tables with base, a table with two arm chairs, and two additional individual chairs with arms per table, in order to comply with ADA requirements; and installation is anticipated toward the latter part of April, with additional chairs, tables, planter boxes, landscaping, etc., to be forthcoming.

Council Member Cutler inquired if the furniture will be secured to the deck; whereupon, Mr. Buschor advised that only the longer benches will be secured because of the need to move free standing furniture within the area. He further advised that a small portable wooden stage will be constructed for various types of performances.

Council Member Cutler asked about vendor participation; whereupon, the City Manager advised that two locations have been identified for vendor participation, and food vendors in the City Market area are reluctant to participate.

Vice-Mayor Fitzpatrick expressed concern that the free standing furniture could become a target by vandals, or a sleeping place for homeless persons.

DIRECTOR OF FINANCE-TAXES: The Director of Finance presented a briefing on the Personal Property Tax Relief Act (PPTRA). He advised that:

Prior Tax Relief Program:

- Provided 70 per cent relief from personal property taxes on the first \$20,000.00 of value for qualifying vehicles
- Owners of vehicles assessed at \$1,000.00, or less, received 100 per cent tax relief
- Qualifying vehicles are owned by an individual and must be for personal use only

Tax Relief Program 2006 and Beyond:

- Caps reimbursement for PPTRA at \$950 million statewide for tax years 2006 and beyond
- Prorated to localities based on tax year 2004
- City of Roanoke to receive \$8,075,992.00 annually
- Spring billers, like Roanoke, will receive the majority of tax year/fiscal year 2006 reimbursement in July 2006
- Current reimbursement program for tax years 2005 and prior ends September 1, 2006, or when current budgeted funds are exhausted
- Localities were given options for implementing PPTRA changes
- City Council adopted Ordinance No. 37221 in October 2005
- "Specific Relief" method adopted for computing tax relief
 - Applies tax relief to individual vehicles on a per cent basis
 - Both dollar and per cent relief will be shown on tax bill
- Allocation of relief at a single percentage to the first \$20,000.00 of personal vehicle value
- Full relief provided for vehicles valued at \$1,000.00 and less
- Localities may "balance bill" delinquencies at September 1, 2006, or when State funding is depleted
- Percentage of relief to be adopted annually by City Council
- Setting PPTRA relief rates or percentages is a matter of forecasting and estimation
 - PPTRA allocation model developed by a group of Treasurers, Commissioners of the Revenue and Finance Directors
 - Analysis of 2006 assessment data
 - No requirement for "settling up"
 - Roanoke relief for tax year 2006 is 66.19 per cent.

The Mayor advised that Council will be requested to take formal action on the matter at its 2:00 p.m. session.

At 12:00 p.m., the Mayor declared the Council meeting in recess to be immediately reconvened for a joint meeting of Council and the Industrial Development Authority.

At 12:00 p.m., the Council meeting reconvened in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, for a joint meeting of Council and the Industrial Development Authority, with Vice-Mayor Beverly T. Fitzpatrick, Jr., and Chair Dennis R. Cronk presiding.

CITY COUNCIL MEMBERS PRESENT: Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea Brenda L. McDaniel and Mayor C. Nelson Harris (arrived late) -----7.

ABSENT: None-----0.

The Vice-Mayor declared the existence of a Council quorum.

INDUSTRIAL DEVELOPMENT AUTHORITY DIRECTORS PRESENT: Linda D. Frith, F. Gordon Hancock, Charles E. Hunter, III, Stuart H. Revercomb, Allen D. Williams, and Dennis R. Cronk-----6.

ABSENT: Director S. Deborah Oyler-----1.

OFFICERS PRESENT: Representing the City of Roanoke: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk. Representing the Industrial Development Authority: Harwell (Sam) M. Darby, Jr., Counsel; Glenna O. Ratcliffe, Secretary; Industrial Development Authority; and R. Brian Townsend, Director, Planning, Building and Economic Development.

The invocation was delivered by Council Member Sherman P. Lea.

ANNUAL REPORTS-INDUSTRIES:

On behalf of the Members of Council, the Vice-Mayor welcomed Directors and staff of the Industrial Development Authority.

Chair Cronk presented an update on activities of the Industrial Development Authority.

(See Annual Report on file in the City Clerk's Office.)

Chair Cronk advised that the Industrial Development Authority of the City of Roanoke (IDA) was established in 1968 for the purpose of aiding and assisting the City in economic development efforts and to facilitate the issuance of industrial revenue bonds; the IDA, by Charter, is provided with the authority to acquire and own property, etc., so long as the property is used for industrial development and economic development purposes on behalf of the City; the IDA consists of seven members who serve three year terms of office; and meetings were previously held at the Roanoke Regional Chamber of Commerce, with staff support provided by the Chamber of Commerce. He stated that in 2002, the IDA accepted the City Manager's offer to provide staff support through the City's Economic Development Office, and meetings are currently held at the Economic Development Office at Franklin Plaza on the second Wednesday of each month. He added that the IDA currently manages approximately \$320,000,000 in outstanding industrial revenue bonds, of which \$308,000,000 are directly related to Carilion Health Systems; and over the past eight months, the IDA and its counsel has worked closely with Carilion to prepare for the issuance of a multiple bond issue in the total amount of \$308,465,000 to refinance certain debt. He stated that an administrative fee, which is based on a portion of bonds issued during the life of the bonds, was initiated and will generate \$75,000.00 of income to the IDA in June 2006 and \$139,000.00 annually thereafter so long as the bonds are outstanding, to be used as a pool of funds to be directed toward economic development efforts in the City of Roanoke.

Chairman Cronk advised that the IDA held six meetings during the year 2005, with an average attendance of five Directors per meeting; \$55,000.00 of façade grants were awarded, and 32 performance agreements were considered, including \$9 million for the new Ukrops Store; for the period July 1, 2005 - March 30, 2006, eight meetings were held with an average attendance of five Directors per meeting and the IDA approved \$200,000.00 in façade grant applications and one performance agreement for the Home Depot project on Route 220. He explained that the façade grant program has been administered by the IDA for approximately two years and was established to improve the outside appearance of buildings.

Chair Cronk stated that currently, the maximum amount that can be awarded for a façade grant is \$25,000.00, and it is requested that the maximum amount be increased to \$100,000.00; and the interpretation of "façade" should be modified since some buildings have front corners, or two fronts, which is sometimes debatable.

In closing, Chairman Cronk advised that the Industrial Development Authority looks forward to working with the City on future economic development issues.

Director Hancock spoke in support of the IDA serving as an active committee of the City and working with the City staff on economic development issues. He requested that the Members of Council provide input with regard to the role of the IDA, and asked for suggestions by Council on the use of future administrative fees to be collected by the IDA.

Vice-Mayor Fitzpatrick commended the positive partnership between the City of Roanoke and the Industrial Development Authority. He suggested that there be further dialogue with regard to the use of administrative fees for the Façade Grant Program and for marketing purposes. He stated that currently the City is looking at entrepreneurial kinds of projects that create jobs, many of which are technically oriented, therefore, the IDA could provide direction on whether administrative fees could be used to enhance the business incubator program, or in conjunction with programs sponsored by Virginia Tech.

Council Member Wishneff suggested that Roanoke's IDA look at what other Industrial Development Authorities throughout the Commonwealth of Virginia are doing that create revenues for their respective localities. He stated that a potential role for the IDA could involve an audit of economic development; i.e.: what is the function of each layer of economic development and is each layer appropriately staffed. He called attention to the flexibility that is afforded to the IDA in its capacity as an independent body.

Chair Cronk advised that a survey was conducted of Industrial Development Authorities throughout the Commonwealth of Virginia which revealed that they all perform different functions and a key component to the success of each entity is strong staff support.

Director Hancock pointed out that the survey also revealed that the City of Roanoke's administrative fee is approximately one-half of the fee charged by other Virginia localities, the 50 per cent rate was selected to assist Carilion Health System and can be changed at any time.

With regard to economic development, Council Member Dowe advised that in excess of 1,500 jobs have been created in the City of Roanoke over the past four years, and somewhere in the range of \$260 million has been collected in revenue. He asked if the IDA has any concerns with regard to enterprise zones and technology zones.

Mr. Townsend advised that the Enterprise Zone was established by Council with approval of the Commonwealth of Virginia, and the City of Roanoke maxed out last year in the acreage requirement that can be devoted to enterprise zone boundaries. He pointed out that every 12 months, the State allows localities to amend program guidelines for Enterprise Zone designation; and there is a need to amend the administration of façade grants with regard to the amount of funds that can be allocated toward a specific project, which will require action by the Council and the Commonwealth of Virginia. He pointed out that the IDA conducts an annual audit which tracks all funds that are transferred to or from the IDA, in addition to audits that are performed by the City's Municipal Auditor.

Mayor Harris commended the work of the Industrial Development Authority which is important to the economic development vitality of the Roanoke community. In response to a question raised by the IDA with regard to the type of services that the IDA could provide to the City, he stated that he would seek input by the City Manager and report to the Industrial Development Authority accordingly.

Council Member Cutler referred to the City Market study in which the consultant submitted recommendations on how to improve the appearance and vitality of the overall Market area, and inquired if the IDA could be of assistance in that regard. The Chair responded that the IDA can be of assistance to the City in numerous ways if it is in the form of economic development.

The City Manager advised that the City administration will begin to address ways in which the IDA can be involved that have not heretofore been discussed. She stated that at a future meeting, she would be interested in discussing what proportion of funds devoted to façade grants should be allocated to small façade grants versus large façade grants. She advised that Council will be provided with a copy of the final report of the City Market consultant and it will be necessary to prioritize items, as well as those items that will involve the private sector, and as the process moves forward, today's discussion raised the visibility of the role of the Industrial Development Authority.

In a discussion of the role of the IDA, the City Manager advised that the IDA can purchase hold, and develop property in much the same way that the City has used the Roanoke Redevelopment and Housing Authority in the past. She stated that a challenge is the need for staff support since the IDA is a citizen based group.

In summary, the Vice-Mayor suggested that City staff provide information to the Council with regard to the powers and duties of the IDA, a review of options whereby the City and the IDA could partner in different ways, and a scope of issues that currently face the City of Roanoke and the role of the IDA with reference to those issues that could be somewhat different than the past role of the IDA.

Vice-Mayor Fitzpatrick stated that there is a lack of developable sites in the City of Roanoke, and it will take a lot of work to create development that generates income. Therefore, he stated that the relationship with the IDA will be a much more important partnership in the future.

It was noted that eligibility for the Façade Grant Program is based on first come, first serve criteria, and modification of the program should be considered by Council.

At 12:54 p.m., the Chair declared the meeting of the Industrial Development Authority adjourned.

At 12:55 p.m., the Vice-Mayor declared the Council meeting in recess, to be immediately reconvened for continuation of the 9:00 a.m. Council briefings.

MARKETING CITY PROPERTY

The City Manager advised that the City of Roanoke wishes to market certain City-owned property and requests input by Council with regard to paying a realtor's commission fee. She explained advised that heretofore, the City has resisted paying a realtor's commission on the purchase of City property since the value of land is used as a part of negotiations to attract prospective businesses to the community. She stated that the City has considerable flexibility in discounting the value of land; however, because the City now has ownership of the former YMCA facility, the possibility of constructing an office building on the surface lot adjacent to the proposed City garage is under consideration.

R. Brian Townsend, Director, Planning Community and Economic Development, advised that three parties have expressed an interest in submitting development proposals to the City with regard to the former YMCA facility; whereupon, he called attention to the Council's previous direction to dispose of the property based on the best development proposal, without the assistance of a realtor. He explained that other localities such as Norfolk, Richmond and Charlottesville follow the same policy as the City of Roanoke, which is to issue a notice advising of the availability of property for development, the most qualified developer is selected, and if a realtor is

involved in the process, the commission is paid by the developer. He added that the City of Newport News has adopted a specific policy regarding commissions which is based on the selling price of the property, the City of Williamsburg enacted a policy establishing a set fee, and remaining localities operate on a case by case basis, or require the buyer to pay the realtor's commission fee.

Mr. Townsend stated that due to the type of properties that are marketed by the City of Roanoke and since a sale price is rarely assigned, it is difficult to involve a realtor due to potentially complicated negotiations with potential developers. He added that an inventory of all City-owned property was completed which revealed several small parcels of City owned land, and approval by Council may be necessary to engage the services of a realtor to represent the City's interests in the disposal of certain parcels of land that are too small or isolate for development.

The City Manager stated that the City of Roanoke has been comfortable with the policy of not paying realtor commission fees; however, because there are several visible pieces of City owned property, criticism has been expressed by the real estate community with regard to the City's position.

Council Member Cutler advised that one exception to the policy is land owned by the City of Roanoke outside of the City's boundaries, such as Coyner Springs; whereupon, Mr. Townsend stated that Coyner Springs is the largest assemblage of publicly-owned property outside the City limits, with a portion that is leased to the adjacent Jeter Farm, several parcels of land that are used by the Juvenile Detention Center, and other parcels of land that are open green space. The City Manager added that some of the parcels of land were transferred to the Western Virginia Water Authority.

Council Member Cutler called attention to a proposal of the Bush Administration to sell isolated tracts of national forest land to the highest bidder. He stated that consideration should be given to identifying some of the land that was included in the recent inventory of City-owned property for park purposes.

Mr. Townsend advised that the inventory of City-owned property has been forwarded to all City operating departments and to the Western Virginia Water Authority for review with regard to retention and/or disposal of properties.

Council Member Cutler also suggested land exchanges as an option.
There being no further discussion, it was the consensus of Council that the City of Roanoke will continue to market City-owned property.

The Mayor declared the Council meeting in recess to be immediately reconvened in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building, for one Closed Session.

The Council meeting reconvened at 1:50 p.m., in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with all Members of the Council in attendance, except Council Member McDaniel, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: The Mayor advised that there is a vacancy on the Parks and Recreation Advisory Board created by the resignation of James C. Hale, for a term ending March 31, 2009; whereupon, he opened the floor for nominations to fill the vacancy.

Vice-Mayor Fitzpatrick placed in nomination the name of Evelyn W. Manetta.

There being no further nominations, Ms. Manetta was appointed as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2009, by the following vote:

FOR MS. MANETTA: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

(Council Member McDaniel was absent.)

HOUSING/AUTHORITY: The Mayor advised that there is a vacancy on the Fair Housing Board created by the resignation of Rich G. McGimsey, for a term ending March 31, 2007; whereupon, he opened the floor for nominations.

Vice-Mayor Fitzpatrick placed in nomination the name of Krista Blakeney.

There being no further nominations, Ms. Blakeney was appointed as a member of the Fair Housing Board to fill the unexpired term of Rich G. McGimsey for a term ending March 31, 2007, by the following vote:

FOR MS. BLAKENEY: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

(Council Member McDaniel was absent.)

COMMITTEES-SCHOOLS: The Mayor advised that on June 30, 2006, there will be three vacancies on the Roanoke City School Board for terms commencing July 1, 2006 and ending June 30, 2009; and pursuant to advertisements in *The Roanoke Times*, applications were submitted by: James P. Beatty, Caren D. Boisseau, Jason E. Bingham, Chris H. Craft, Jay Foster, Alice P. Hincker, E. Duane Howard, Mae G. Huff, Randy L. Leftwich, Mark S. Lucas, Charles W. McClure and Todd A. Putney.

It was the consensus of Council that the following persons will be interviewed for the upcoming vacancies on Monday, April 17, 2006, at 11:45 a.m., and on Monday, May 1, 2006 (hour tentative); and the Council will hold a public hearing on Monday, May 1, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chamber, to receive the views of citizens.

James P. Beatty	Jason E. Bingham
Caren D. Boisseau	Jay Foster
Mae G. Huff	Randy L. Leftwich
Mark S. Lucas	Todd Putney

At 1:55 p.m., the Mayor declared the Council meeting in recess until 2:00 p.m., in the City Council Chamber.

At 2:00 p.m., on Monday, April 3, 2006, the Council meeting reconvened in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea and Mayor C. Nelson Harris-----6.

ABSENT: Council Member Brenda L. McDaniel-----1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

CITY EMPLOYEES-DECEASED PERSONS: Vice-Mayor Fitzpatrick offered the following resolution memorializing the late Margaret "Fran" Cox Fulford, a former employee of the City Attorney's Office:

(#37339-040306) A RESOLUTION memorializing the late Margaret "Fran" Cox Fulford, an employee of the City for thirty-seven years.

(For full text of resolution, see Resolution Book 70, Page 195.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37339-040306. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None -----0.

(Council Member McDaniel was absent.)

The Mayor presented a ceremonial copy of the above referenced measure to Tamara C. Greene, daughter, and James E. Cox, III, son, and called for a moment of silence in memory of Ms. Fulford.

ACTS OF ACKNOWLEDGEMENT-SCHOOLS: Council Member Dowe offered the following resolution congratulating the Roanoke Catholic High School Boys Basketball Team, winners of the Virginia Independent School Division II State Basketball Championship:

(#37340-040306) A RESOLUTION paying tribute to the Roanoke Catholic Celtics Basketball Team for its victory in the Virginia Independent School Division II State Basketball Championship Tournament at Richard Bland College in Petersburg, Virginia, on March 4,2006.

(For full text of resolution, see Resolution Book 70, Page 196.)

Council Member Dowe moved the adoption of Resolution No. 37340-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None -----0.

(Council Member McDaniel was absent.)

The Mayor presented a ceremonial copy of the above referenced measure to Head Coach Joe Gaither.

PROCLAMATIONS-HOUSING/AUTHORITY: The Mayor presented a proclamation to Nancy F. Canova, Chair, Fair Housing Board, declaring the month of April 2006 as Fair Housing Month.

Ms. Canova advised that the proclamation helps to raise public awareness of Fair Housing law, and demonstrates the City's commitment to non-discrimination in housing, mortgage lending and insurance.

Angela Penn, Director, Housing and Community Development, Total Action Against Poverty, advised that TAP was awarded funds from the U. S. Department of Housing and Urban Development to implement a Fair Housing Education and Outreach Program for the purpose of providing education and outreach at the grass roots level. She stated that TAP's new Fair Housing Specialist will meet with neighborhood organizations, civic groups, and other housing agencies to promote fair housing, a hot line will be available to provide more information about fair housing, a website www.tapfairhousing.org will be available to assist individuals who need to file housing complaints; and TAP will continue to coordinate efforts with the City of Roanoke's Fair Housing Board. She introduced Tom Day, Sr., Region 3 Education and Outreach Specialist, Department of Housing and Urban Development.

Mr. Day advised that the grant will be the first for HUD's Fair Housing Initiatives Program in southwest Virginia. He stated that fair housing is the law; the year 2006 will mark 38 years in the fight for fair housing, and as a result of the Fair Housing Act, 9,187 complaints have been filed, complaints have generated \$11 million in monetary awards for settlement, and a national Fair Housing Training Academy has been established which will be attended by representatives of TAP in the year 2006 and 2007. He advised that the goal of the President of the United States is to ensure equal opportunity and access to housing for all persons, to embrace high standards of ethics, management and accountability for housing, and it is upon the President's goal that HUD commits itself to continue another 38 years in the fight for fair housing.

PROCLAMATIONS-COMMUNICATIONS DEPARTMENT: The Mayor presented a proclamation to Roy Mentkow, Director, Department of Technology, and Mike Crockett, Communications Superintendent, E-911, declaring the week of April 9 - 15, 2006, as National Public Safety Telecommunicator's Week.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meeting of Council held on Tuesday, February 21, 2006, and recessed until Friday, March 3, 2006, were before the body.

Council Member Cutler moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None-----0.

(Council Member McDaniel was absent.) (Council Member Wishneff was not in the Council Chamber when the vote was recorded.)

TAXES: A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 17, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Straight Street Roanoke Valley, Inc., a non-profit organization, for tax exempt status of property located at 333 Luck Avenue, S. W., was before the body.

Council Member Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None-----0.

(Council Member McDaniel was absent.) (Council Member Wishneff was not in the Council Chamber when the vote was recorded.)

TAXES: A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 17, 2006, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Blue Ridge Gospel Outreach, Inc., located at 9 Salem Avenue, S. W., was before the body.

Council Member Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None-----0.

(Council Member McDaniel was absent.) (Council Member Wishneff was not in the Council Chamber when the vote was recorded.)

AIRPORT-PARKS AND RECREATION-COMMITTEES-HUMAN DEVELOPMENT COMMITTEE: A report of qualification of the following persons, was before Council:

John E. Dooley as a member of the Roanoke Regional Airport Commission, for a term ending March 9, 2010;

Carl H. Kopitzke and Mary F. Monk as members of the Parks and Recreation Advisory Board, for terms ending March 31, 2009; and

Quentin J. White as a member of the Human Services Advisory Board, to fill the unexpired term of Corinne B. Gott, deceased, ending September 30, 2008.

Council Member Cutler moved that the report of qualification be received and filed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None-----0.

(Council Member McDaniel was absent.) (Council Member Wishneff was not in the Council Chamber when the vote was recorded.)

REGULAR AGENDA

PUBLIC HEARINGS:

EASEMENTS-ROANOKE GAS COMPANY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, April 3, 2006, at 2:00 p.m., or as soon thereafter as the matter may be heard, on a request of Charles L. Lunsford Sons & Associates for permission to install a new gas meter on the side of their building located at 16 Church Avenue, S. E., to allow replacement of the existing heating system with a gas system, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, March 27, 2006.

The City Manager submitted a communication advising that Charles Lunsford Sons & Associates, Inc., has requested permission to install a new gas meter on the side of their building located at 16 Church Avenue, S. E., to allow the replacement of the existing heating system with a gas system; as the building wall is constructed on the property line, the meter would extend beyond the property line encroaching into Century Square Park; the proposed meter would extend approximately 12 inches into the Park, at a height of approximately eight inches, extending upward 22 inches, and will be 14 inches wide; and liability insurance and indemnification of the City by the applicant will be provided.

The City Manager recommended that Council adopt an ordinance, to be executed by the applicant and kept on file in the City Clerk's Office, authorizing the City of Roanoke to grant a revocable license to the applicant for installation of a new gas meter at 16 Church Avenue, S. E., encroaching into Century Square Park.

Council Member Dowe offered the following ordinance:

(#37341-040306) AN ORDINANCE granting a revocable license to permit the encroachment of a gas meter at a height above the sidewalk of eight (8) inches, extending upward twenty-two (22) inches, and with a width of fourteen (14) inches into Century Square Park, from property bearing Official Tax No. 4011310, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 70, Page 198.)

Council Member Dowe moved the adoption of Ordinance No. 37341-040306. The motion was seconded by Vice-Mayor Fitzpatrick.

The Mayor inquired if there were persons present who would like to be heard in connection with the request for encroachment. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37341-040306 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None -----0.

(Council Member McDaniel was absent.)

PETITIONS AND COMMUNICATIONS:

TAXICABS AND FOR HIRE VEHICLES: A petition from Yellow Cab Services of Roanoke, Inc., for an adjustment in the rates (fuel surcharge) for taxicab service and for-hire automobiles in the City of Roanoke, was before Council.

It was advised that since the last rate increase in 2004, gasoline pump charges have risen from an average of \$1.10 per gallon to \$2.39 per gallon; in addition, current indicators suggest gasoline prices will continue to dramatically increase; in an effort to maintain service and to retain taxi drivers, the petitioner is compelled to petition Council for the addition of a fuel surcharge; a proposed fuel surcharge of \$1.00 per trip would be added to the current meter price charged for each trip; the fuel surcharge would be posted on rate stickers displayed in each taxi and is in line with what other taxi companies in Virginia charge, or are seeking to charge, and would assist drivers in partially offsetting escalating gasoline prices.

It was further advised that Yellow Cab Services of Roanoke, Inc., agrees to drop the proposed fuel surcharge, if the average posted price of a gallon of gasoline drops below the price of \$2.00 per gallon for a period of six months.

Alan D. Carlisle, Manager, Yellow Cab Company, spoke in support of the request.

Without objection by Council, the Mayor advised that the petition would be referred to the City Manager for report to Council.

BUDGET-RIVER PARKWAY/EXPLORE PARK: Debbie Pitts, Executive Director, Explore Park, expressed appreciation for past and current support of Virginia's Explore Park by the City of Roanoke, which has enabled Explore Park to provide quality education programs for Roanoke City school students and the Roanoke Valley region. She stated that over 30 school districts have been served from as far away as West Virginia and North Carolina; Explore Park continues to provide a first class living history museum and outdoor recreation area; and Explore Park provides services to tourists exiting the Blue Ridge Parkway into the Roanoke Valley. She explained that Explore Park is officially classified as a non-state agency in the State budget; however, the Park is actually a political subdivision of the State; the Commonwealth of Virginia owns and manages Explore Park through the Virginia Recreational Facilities Authority (VRFA) which serves as the Board of Directors; and members of the Board of Directors are appointed by the Governor. She stated that the VRFA was established in 1986 with a mission to create a major tourist destination in southwest Virginia, to provide history and natural resource education for children and adults, to conserve scenic and open space land along the Roanoke River, and to provide outdoor recreation opportunities; since its inception, \$46 million has been invested in the Explore Park through public/private partnerships, most of which has been invested in the purchase of 1,100 acres of land; however, the vision for Explore Park has not been achieved and a major infusion of capital funding is needed, as well as development of features that will generate revenue to support the Park in the future.

Ms. Pitts advised that in March 2005, the VRFA entered into an option for a long-term lease of Explore Park to Virginia Living Histories; the goal of Virginia Living Histories is to develop a family-oriented vacation destination; the public/private partnership will provide the necessary capital to realize the original vision for Explore Park and to create a destination attraction that will generate tourism and tax revenues for the Roanoke Valley and the Commonwealth of Virginia; and the lease option requires that Virginia Living Histories spend a minimum of \$20 million on capital development over the first three years of the project, although it is probable that the amount will be closer to \$80 million during the first period. She explained that Virginia Living Histories is currently in the due diligence phase of the project, including development of market and feasibility studies; the lease option requires this process and any preconstruction planning to be completed in three years, or by June, 2008; however, it is anticipated that the lease may be activated in a

shorter period of time; all parties that are involved with Explore Park believe that the project will be much more successful if the Park continues: (1) to operate during the planning period in order to protect and preserve \$46 million in assets and to continue to provide SOL based education to over 12,000 students who visit the Park for school outings; (2) to serve 60,000 plus visitors to Explore Park each year, of which 17,500 are tourists visiting the Parkway Visitor Center for information about the region and the Commonwealth of Virginia; (3) to support the efforts of Virginia Living Histories in the due diligence and planning phases; and (4) to plan for the orderly transition of Explore Park to Virginia Living Histories if the option is activated.

Ms. Pitts stated that representatives of Explore Park have approached each of the local governments in the region, as well as the Commonwealth of Virginia, to request an allocation of funds to continue operation of the Park, and, if possible, to increase funding that will allow Explore Park to continue current operations until the lease with Virginia Living Histories is activated; therefore, the City of Roanoke is requested to increase funding from \$35,385.00 to \$50,000.00. She stated that if the request is approved, the City of Roanoke will be investing in an economic development project just seven miles from downtown Roanoke, a project that will generate regional tourism and create jobs for the Roanoke Valley in the future. She explained that Explore Park applied for \$50,000.00 in funding through the City of Roanoke Cultural Services Committee and was awarded \$36,400.00 for fiscal year 2006-2007; after going through the appeals process, the Cultural Services Committee explained that it has an established amount of funding with numerous demands for funds, therefore, the Cultural Services Committee could not increase the amount of the allocation to Explore Park. She stated that the Cultural Services Committee supports the request of Explore Park for a special Council appropriation of \$13,600.00, which will bring the City's total appropriation to \$50,000.00.

Without objection by Council, the Mayor advised that the request would be referred to the City Manager for report to Council.

AIRPORT-BUDGET: Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport Commission, presented a report of the Airport Commission advising that in accordance with requirements of the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended, the Roanoke Regional Airport Commission submits the Fiscal Year 2006-2007 Operating Budget for approval by Council. She stated that the budget was adopted by the Airport Commission at its meeting on March 15, 2006; and a separate list of capital expenditures which are expected to exceed \$100,000.00 in cost and are intended to benefit five or more future accounting periods is provided.

She further advised that no deficit is anticipated in either the operating budget or for the listed capital expenditures; therefore, no additional appropriations are requested or anticipated from the City of Roanoke or the County of Roanoke; and formal approval of the operating budget and capital expenditure list, by resolution, by each participating political subdivision is requested.

Council Member Cutler offered the following resolution:

(#37342-040306) A RESOLUTION approving the Roanoke Regional Airport Commission's 2006-2007 proposed operating and capital budget, upon certain terms and conditions.

(For full text of resolution, see Resolution Book 70, Page 200.)

Council Member Cutler moved the adoption of Resolution No. 37342-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None -----0.

(Council Member McDaniel was absent.)

BUDGET-ROANOKE VALLEY RESOURCE AUTHORITY: Steven R. Barger, Operations Manager, Roanoke Valley Resource Authority, advised that in accordance with the Member Use Agreement, the Roanoke Valley Resource Authority submits its 2006-2007 annual budget, in the total amount of \$8,790,040.00, to Council for approval.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37343-040306) A RESOLUTION approving the annual budget of the Roanoke Valley Resource Authority for Fiscal Year 2006-2007, upon certain terms and conditions.

(For full text of resolution, see Resolution Book 70, Page 201.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37343-040306. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None -----0.

(Council Member McDaniel was absent.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-HUMAN DEVELOPMENT-GRANTS-FDETC: The City Manager submitted a communication advising that the City of Roanoke is the grant recipient for Workforce Investment Act (WIA) funding, thus, Council must appropriate funding for all grants and other monies received in order for the Western Virginia Workforce Development Board to administer WIA programs; the Western Virginia Workforce Development Board administers the Federally funded Workforce Investment Act (WIA) for Area 3, which includes the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, and the Cities of Covington, Roanoke, and Salem.

It was further advised that WIA funding is intended for four primary client populations:

- Dislocated workers who have been laid off from employment through no fault of their own;
- Economically disadvantaged individuals as determined by household income guidelines defined by the U. S. Department of Labor;
- Youth who are economically disadvantaged, or have other barriers to becoming successfully employed adults; and
- Businesses in need of employment and job training services.

It was explained that the Western Virginia Workforce Development Board, by request, has received a Notice of Obligation (NOO) from the Virginia Employment Commission transferring \$109,000.00 from Program Year 2004 WIA Dislocated Worker Program budget to Program Year 2004 Adult Program budget and transferring \$50,000.00 from Program Year 2005 WIA Dislocated Worker Program budget to Program Year 2005 Adult Program budget.

It was noted that existing activities will continue and planned programs will be implemented; and funds are available from the Grantor agency and other sources as indicated, at no additional cost to the City.

The City Manager recommended that Council accept the Western Virginia Workforce Development Board Workforce Investment Act funding transfer; and adopt an ordinance transferring appropriations of \$109,000.00 from Program Year 2004 from Dislocated Worker Contract Services, Account No. 035-633-2312-8057, to Program Year 2004 Adult Program Contract Services, Account No. 035-633-2311-8057; and transferring appropriations of \$50,000.00 from Program Year 2005 Dislocated Worker Contract Services, Account No. 035-633-2322-8057, to Program Year 2005 Adult Program Contract Services, Account No. 035-633-2321-8057.

Council Member Dowe offered the following budget ordinance:

(#37344-040306) AN ORDINANCE to transfer funding between various programs of the 2004 and 2005 Workforce Investment Act Grants, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 202.)

Council Member Dowe moved the adoption of Ordinance No. 37344-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

Vice-Mayor Fitzpatrick offered the following resolution:

(#37345-040306) A RESOLUTION accepting the Western Virginia Workforce Development Board Workforce Investment Act funding of \$159,000.00 and authorizing the City Manager to execute the requisite documents necessary to accept the funding.

(For full text of resolution, see Resolution Book No. 70, Page 203.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37345-040306. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

BUDGET-GRANTS-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that the Virginia Economic Development Partnership (VEDP) established Virginia's Opportunity Regions Marketing Grant to assist local governments in the State with marketing; and in December 2005, the Division of Economic Development applied for the grant to design and print marketing brochures for the City of Roanoke, Roanoke Centre for Industry and Technology (RCIT), the Riverside Centre and Enterprise Zones One A and Two.

It was further advised that in March 2006, for the second year in a row, the Virginia Economic Development Partnership awarded the City of Roanoke a grant for \$10,000.00 which requires 50 per cent in matching funds; and an additional \$5,000.00 in matching funds for the grant are available in the Economic Development budget, Account No. 001-310-8120-2015.

It was explained that action by Council is necessary in order for the City to formally accept and appropriate the funds and to authorize the Director of Finance to establish a revenue account to receive the funds; and authorization by Council for the City Manager to execute the grant contract is required.

The City Manager recommended that she be authorized to execute a grant contract accepting Virginia's Opportunity Regions Marketing Grant, and to execute any other required grant documents, to be approved as to form by the City Attorney; that Council adopt an ordinance establishing revenue estimates totaling \$15,000.00 in the Grant Fund, transferring \$5,000.00 from the General Fund Economic Development account, and appropriating funds totaling \$15,000.00 to an expenditure account to be established by the Director of Finance in the Grant Fund.

Council Member Dowe offered the following budget ordinance:

(#37346-040306) AN ORDINANCE to appropriate funding from the Commonwealth for the Virginia Opportunity Region Grant, amending and reordaining certain sections of the 2005-2006 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 203.)

Council Member Dowe moved the adoption of Ordinance No. 37346-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

Vice-Mayor Fitzpatrick offered the following resolution:

(#37347-040306) A RESOLUTION authorizing the acceptance of a Virginia's Opportunity Regions, Marketing Grant from the Virginia Economic Development Partnership; and authorizing the City Manager to execute a grant contract to accept such funds and any other required grant documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 70, Page 204.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37347-040306. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

POLICE DEPARTMENT-GRANTS: The City Manager submitted a communication advising that the Certified Crime Prevention Community Program publicly recognizes and certifies localities that have implemented a defined set of community safety strategies as part of a comprehensive community safety/crime prevention effort; the program encourages localities to develop and implement collaborative community safety plans within a flexible framework designed by the Virginia State Crime Commission; to either obtain certification or remain certified, a locality must meet 12 core community safety elements/strategies augmented by a minimum of seven approved optional elements; and the Department of Criminal Justice Services administers and monitors the program.

It was further advised that the City of Roanoke has maintained certification as a crime prevention community since 2001; every three years the City must apply for re-certification; as a part of the re-application process, Council must adopt a resolution affirming the City's interest in maintaining the certified status, as well as authorizing a City official to provide the required documentation needed as a part of the application process.

It was explained that maintaining certification is important because certified localities receive preference points during State grant application review, insurance policy holders living in the community may receive premium discounts and the certified designation can be used as a marketing tool to attract businesses and conference planners.

The City Manager recommended that Council adopt a resolution authorizing the City Manager, or her designee, to begin the application process for re-certification as a crime prevention community.

Council Member Dowe offered the following resolution:

(#37348-040306) A RESOLUTION authorizing the City's continued participation in the Virginia Certified Crime Prevention Community Program.

(For full text of resolution, see Resolution Book No. 70, Page 205.)

Council Member Dowe moved the adoption of Resolution No. 37348-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

BUDGET-GRANTS-YOUTH: The City Manager submitted a communication advising that the City of Roanoke has participated in the Virginia Juvenile Community Crime Control Act (VJCCCA) since its inception in 1996; each biennium, a local plan is developed to address the needs of juveniles who come before juvenile intake on complaints, or the court, on petitions alleging that the child is in need of service or supervision, or is delinquent; the intent of VJCCCA is to establish a community-based system of sanctions that are ordered by the Juvenile and Domestic Relations District Court, and services to address the needs of eligible population; and City of Roanoke programs that address such needs are: Youth Haven, Sanctuary-Crisis Intervention Center, Outreach Detention, Electronic Monitoring, Substance Abuse Counselor and Enhanced Community Service.

It was further advised that a resolution from the governing body of each participating locality endorsing participation in VJCCCA is required by the Commonwealth of Virginia each biennium; VJCCCA guidelines provide that the locality may word the resolution such that the locality intends to participate in VJCCCA until the locality notifies the Virginia Department of Juvenile Justice, in writing, that it no longer wishes to participate, without the need for a new resolution to be adopted each biennium; and no further action by the Council will be required to continue participation or to make revisions to future VJCCCA plans.

It was explained that two staff members in VJCCCA programs currently operate under a cooperative supervision agreement between the City of Roanoke and the Virginia Department of Juvenile Justice; staff members are City employees who are provided with supervision from the Virginia Department of Juvenile Justice and are assigned to assist in the delivery of services to juveniles under the VJCCCA; an updated Memorandum of Agreement is necessary to provide terms under which City employees will carry out their duties under the supervision of the Department of Juvenile Justice for the coming biennium and subsequent VJCCCA plans each biennium, or revised plans within the biennium, will require a revised Memorandum of Agreement.

The City Manager recommended that Council adopt a resolution endorsing the City of Roanoke's participation in the Virginia Juvenile Community Crime Control Act; and that the City Manager be authorized to execute the required Memorandum of Agreement to be used as guidance for providing direction and support to City of Roanoke employees assigned to the Department of Juvenile Justice, in connection with the Virginia Juvenile Community Crime Control Act, with the agreement to be updated by the City Manager with regard to renewal and/or revision of future VJCCCA plans.

Council Member Dowe offered the following resolution:

(#37349-040306) A RESOLUTION endorsing participation by the City in the Virginia Juvenile Community Crime Control Act; authorizing the City Manager to execute a Memorandum of Agreement between the City of Roanoke and the Virginia Department of Juvenile Justice to be used as guidance for providing direction and support to City employees assigned to the Virginia Department of Juvenile Justice in connection with the Virginia Juvenile Community Crime Control Act.

(For full text of resolution, see Resolution Book No. 70, Page 206.)

Council Member Dowe moved the adoption of Resolution No. 37349-040306. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member Dowe advised that he serves in an unpaid capacity on the Board of Directors, Virginia Criminal Justice Services, and inquired if he should abstain from voting on the abovereferenced resolution; whereupon, the City Attorney advised that there would be no conflict of interest inasmuch as Mr. Dowe receives no remuneration for his services.

Resolution No. 37349-040306 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

CITY CODE-ZONING-SIGNS/BILLBOARDS/AWNINGS: The City Manager submitted a communication advising that with adoption of new zoning regulations on December 5, 2005 (Chapter 36.2 of the City Code), and the corresponding repeal of previous zoning regulations (Chapter 36.1 of the City Code), other sections of the City Code must be amended to make reference to zoning regulations and zoning districts in those sections consistent with terminology and section numbers used in Chapter 36.2.

It was further advised that with the regulation of temporary signs now included in Division 6, Signs (Sections 36.2-660 through 36.2-675) of Chapter 36.2, Zoning of the City Code, Article II (Sections 27.1-31 through 27.1-35) of the City Code should be repealed.

The City Manager recommended that Council adopt an ordinance amending sections of the City Code that reference zoning regulations and zoning districts, consistent with terminology and section numbers used in Chapter 36.2; and repealing Article II (Sections 27.1-31 through 27.1-35) of the Code of the City of Roanoke, 1979, as amended.

Council Member Dowe offered the following ordinance:

(#37350-040306) AN ORDINANCE amending and reordaining subsections (a), (b)(2) and (b)(4) of §6-27, Limitations on keeping, subsection (b) of §6-112, Density requirements, and subsections (a), (b)(2) and (b)(4) of §6-116, Limitations on keeping of Chapter 6, Animals and Fowl; §11.1-2, Definitions, and subsection (d) of §11.2-19, Performance bond, of Chapter 11.1, Erosion and Sediment Control; §21-43.1, Prohibition against operation of certain lighted athletic facilities after 10:00 p.m., and §21-205, Definitions, of Chapter 21, Offenses - Miscellaneous; subsections (1)(b), (1)(c), (3)(a) and (7) of §27.1-2, Projections over sidewalks, streets, alleys or other public property, of Chapter 27.1, Signs and similar projections over city rights-of-way or property; §30-14, Procedure for altering or vacating city streets or alleys; fees therefor, and subsection (a) of §30-86, Construction in C-3 zoning district, of Chapter 30, Streets and Sidewalks; §32-7, Delinquent real estate taxes, of Chapter 32, Taxation; and subsection (e) of §33-17, Definitions, of Chapter 33, Vegetation

and Trash, and deleting Article 11, Temporary Signs, of Chapter 27.1, Signs and Similar Projections over City Right-of-way or Property, of the Code of the City of Roanoke (1979), as amended, to make changes in the City Code necessitated by the adoption of Chapter 36.2, Zoning; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 222.)

Council Member Dowe moved the adoption of Ordinance No. 37350-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

BUDGET-CELEBRATIONS-CITY EMPLOYEES: The City Manager submitted a communication advising that in 2007, the City of Roanoke will celebrate its 125th Anniversary with local events and activities that will occur throughout the year; as a major event of the celebration, the City will host a performing arts festival which will incorporate all components of the performing arts, including symphony, theatre, ballet, and opera; the Roanoke Arts Festival will serve to commemorate the founding of Roanoke and to unite its citizens by way of music, dance, theatre, and art; the festival will also serve to expose a diverse group of citizens to artistic excellence and to assist in the City's high priority efforts in developing regional tourism; and numerous celebratory events will also be held throughout the year to highlight important historical, cultural, and educational aspects of the City.

It was further advised that to orchestrate the festival, the City of Roanoke needs to establish a full time position that will be responsible for logistical and artistic programming and marketing efforts for the festival; and the position will also be responsible for planning, coordinating, and managing all celebratory activities for the 125th Anniversary Celebration.

It was explained that the Arts Festival Manager position will be classified as a Pay Grade 15, with a salary range from \$47,067.00 to \$72,954.00; projected cost for the remainder of fiscal year 2005-2006 is \$10,849.00; and funding is available in the City Manager's Contingency, Account No. 001-300-9410-2199.

The City Manager recommended that Council concur in the establishment of an Arts Festival Manager position for the City of Roanoke, effective May 1, 2006; adopt an ordinance transferring funds in the amount of \$10,849.00 from the City Manager's Contingency, Account No. 001-300-9410-2199, to the following accounts:

<u>Object</u>	<u>Amount</u>	<u>Account Number</u>
Regular Employee Salaries	\$9,021.00	001-300-1211-1002
City Retirement	\$1,138.00	001-300-1211-1105
FICA	\$ 690.00	001-300-1211-1120

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#37351-040306) AN ORDINANCE to transfer funding from the City Manager's Contingency for a new Arts Festival Manager position, amending and reordaining certain sections of the 2005-2006 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 222.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37351-040306. The motion was seconded by Council Member Dowe.

Council Member Cutler spoke in support of establishing the position of Arts Festival Manager, and asked for a clarification by the City Manager if an additional position to be classified as Public Art Coordinator will be established to maintain City-owned art and to administer the Per Cent for Art Program.

The City Manager responded that funds for the Public Arts Coordinator position is included in the City's 2006-2007 proposed budget.

There being no further discussion, Ordinance No. 37351-040306 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

BLUE RIDGE BEHAVIORAL HEALTHCARE: The City Manager submitted a communication advising that Blue Ridge Behavioral Healthcare is a community service board established by the political jurisdictions of the Counties of Botetourt, Craig and Roanoke, and the Cities of Roanoke and Salem; for a number of years, the City of Salem has served as fiscal agent for Blue Ridge Behavioral Healthcare due to restrictions included in old state law which required that a governing body of a city or county that initially established the board must serve as fiscal agent; however, effective October 1, 2005, state law was amended to allow community service operating boards, such as Blue Ridge Behavioral Healthcare, to act as its own fiscal agent when authorized to do so by the governing body of each establishing city or county, which provision is included in Section 37.2-504A.18, Code of Virginia (1950), as amended.

It was further advised that Blue Ridge Behavioral Healthcare has requested that the City of Roanoke adopt a resolution authorizing the organization to serve as its own fiscal agent; the request has been reviewed and there are no objections to Council adopting a resolution authorizing the organization to act as its own fiscal agent; the City of Salem, the current fiscal agent and the entity most affected by the change, has raised no objection to the request, and all other jurisdictions have agreed to propose a resolution for adoption by their governing bodies.

The City Manager recommended that Council adopt a resolution authorizing Blue Ridge Behavioral Healthcare to act as its own fiscal agent.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37352-040306) A RESOLUTION authorizing Blue Ridge Behavioral Healthcare to act as its own fiscal agent to receive state and federal funds directly from the Department of Mental Health, Mental Retardation and Substance Abuse Services.

(For full text of resolution, see Resolution Book No. 70, Page 223.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37352-040306. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

PARKING FACILITIES: The City Manager submitted a communication advising that the City currently owns and/or controls 11 parking facilities in downtown Roanoke; the City has adopted several strategies to help Roanoke area residents and visitors become more aware of the abundant parking options that are provided in the downtown area; a new "Park Roanoke" logo was designed and approved for use in development of new exterior signage for all of the City's current and future parking facilities; the naming of parking facilities is an equally important aid to help drivers identify and locate parking close to their destination; and short, concise, and recognizable names with this type of destination association are a proven combination to connect drivers to the most convenient parking for their destination.

It was further advised that in order to act in concert with new signage initiatives, renaming of parking facilities should be approved at the same time as improvements are made to exterior signage for each parking facility, to be effective June 1, 2006.

The City Manager recommended that Council approve name changes for City parking facilities; and that Council further authorize the City Manager to take any appropriate action and to execute any documents that may be necessary to effect the renaming of City parking facilities.

Council Member Cutler offered the following resolution:

(#37353-040306) A RESOLUTION renaming certain City owned and/or controlled parking facilities; authorizing the City Manager to take any appropriate action and execute any documents necessary to effect the renaming of these parking facilities; and establishing an effective date.

(For full text of resolution, see Resolution Book No. 70, Page 224.)

Council Member Cutler moved the adoption of Resolution No. 37353-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

Council Member Wishneff requested that the naming of a City facility in memory of the late restaurateur, Al Pollard, be referred to the City Manager and to the City Planning Commission for study, report and recommendation to Council.

Without objection by Council, the Mayor advised that the request would be referred to the City Manager and to the City Planning Commission for study, report and recommendation to Council.

ZONING-CITY PROPERTY: The City Manager submitted a communication advising that on August 16, 2004, Council rezoned Official Tax No. 7160113, located at the entrance to the Roanoke Centre for Industry and Technology from LM, Light Industrial, to C-2, General Commercial, with conditions, pursuant to Ordinance No. 36821-081604; the rezoning provided for a range of commercial uses that would take advantage of the visibility and access provided by Orange Avenue, and complement and support existing light industrial development in the Centre; with adoption of the current zoning map on December 5, 2005, the property became CG, Commercial-General District, subject to previously approved proffered conditions; and the existing proffers limit the range of permitted commercial uses, prohibit access to the site directly from Orange Avenue, and limit the number of freestanding signs.

It was further advised that since the property was rezoned in 2004, it has been determined that the range of permitted commercial uses should be expanded to enhance the marketability of the property; and the list of uses should now conform to those specified in the Use Matrix of the current Zoning Ordinance which was adopted in December 2005.

The City Manager recommended that she be authorized to file a petition to amend proffered conditions, and any subsequent amended petition necessary and appropriate to effect Vision 2001-2020, the City's Comprehensive Plan, on property located at the northeast corner of Blue Hills Drive and Orange Avenue, N. E., identified as Official Tax No. 7160113.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37354-040306) A RESOLUTION authorizing the filing of a petition to amend the proffered conditions, and any subsequent amended petition necessary and appropriate to effect Vision 2001 - 2020, the City's Comprehensive Plan, presently binding on property which is owned by the City of Roanoke and which is designated as Official Tax No. 7160113.

(For full text of resolution, see Resolution Book No. 70, Page 225.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37354-040306. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

CITY ATTORNEY:

STREETS AND ALLEYS: The City Attorney submitted a written report advising that on January 18, 2005, Ordinance No. 36945-011805 was adopted by Council permanently vacating a 15' alley running between Whitmore Avenue and Reserve Avenue, S. W., and parallel to Jefferson Street, S. W., upon certain conditions; a condition of the ordinance was that the petitioners, Carilion Medical Center and CHS, Inc., would prepare and record a plat, showing the disposition of the land within the subject right-of-way, in the Clerk's Office of the Circuit Court for the City of Roanoke within a period of 12 months from the effective date of the ordinance; and if all of the conditions were not met within the 12 month time frame, the ordinance provided that it would become null and void without further action by the Council.

It was further advised that the petitioners, by their attorney, Daniel F. Layman, Jr., have advised that conditions of the ordinance were not completed due to a misunderstanding between the Housing Authority and the petitioners as to the responsibility for meeting the conditions; the attorney has requested that Ordinance No. 36945-011805 be amended and reordained to allow 24 months for meeting conditions; the Engineering Department and the Department of Planning Building and Economic Development have reviewed the request and have raised no objection.

The City Attorney recommended that Council amend and reordain Ordinance No. 36945-011805, with the condition that the period of time required for satisfaction of the conditions be changed from 12 months to 24 months.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37355-040306) AN ORDINANCE amending and reordaining Ordinance No. 36945-011805; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 70, Page 227.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37355-040306. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

DIRECTOR OF FINANCE:

BONDS/BOND ISSUES: The Director of Finance submitted a written report advising that the City issued \$45.675 million of Series 1997B bonds dated January 15, 1997, to refund a portion of the City's series 1988, 1992A and 1992B public improvement bonds; maturities of the 1997B bonds, due on and after August 1, 2007, totaling \$17.88 million are callable on August 1, 2006; and the interest rate on the callable maturities is 5.0 per cent.

It was further advised that the City issued \$44.245 million of Series 2002A bonds dated February 1, 2002, to fund various projects, maturities of the Series 2002A bonds due on and after October 1, 2013, totaling \$21.81 million, are callable on or after October 1, 2012; and the interest rates on each of the callable bonds range from 4.25% to 5.25%.

It was explained that based on recent interest rate movements, the City could potentially realize annual savings by refunding a portion of the callable Series 1997B and/or Series 2002A bonds; savings would be contingent upon interest rates received on the refunding bonds, the interest rate(s) obtained on the Treasury certificates to fund an escrow, and the final redemption price of the transaction(s); and based upon discussions with the City's financial advisor, BB&T Capital Markets, it is believed that an appropriate level of savings to justify refunding may be achieved depending on market conditions on the date of pricing.

The Director of Finance advised that since interest rates fluctuate daily, it is imperative to the success of a refunding that the City act quickly once interest rates enable the achievement of an acceptable level of savings on one or both series of bonds; and a negotiated sale, versus a competitive sale, can be accomplished in a much shorter timeframe, with lower upfront costs and with greater flexibility, and is deemed more practical in this situation.

It was further advised that the City invited two bond underwriting firms, both of which provided the City with refunding scenarios, to further analyze refunding opportunities; one firm, Morgan Keegan, managed the City's 2004 refunding transactions; the other firm, Wachovia Securities, purchased three of the City's last five competitive issues; and the Department of Finance, based on recommendations from BB&T Capital Markets, selected these two firms to comprise the underwriting syndicate.

It was noted that refunding bonds will be considered additional debt in the context of the City's debt policy and from rating agencies' perspective only to the extent that a slightly higher level of principal would need to be issued than the amount of bonds being refunded; additionally, to the extent that some of the debt service on the current general obligation bonds is being provided by the Western Virginia Water Authority (WVWA), funding for the new bonds would also come from the Water Authority, resulting in debt service savings for that entity, as well as for the City.

The Director of Finance recommended that Council adopt a resolution authorizing the City Manager and the Director of Finance to issue up to \$42.5 million in refunding bonds to be sold by an underwriting syndicate comprised of Morgan Keegan and Wachovia Securities; refunding bonds shall be issued to refund the 1997B bonds if net present value savings of \$300,000.00 and a minimum of 2.5 per cent of net present value of the refunded bonds can be achieved; and refunding bonds shall be issued to refund the 2002A bonds if net present value savings of \$250,000.00 and a minimum of five per cent of net present value of the 2002A refunded bonds can be achieved.

Council Member Dowe offered the following resolution:

(#37356-040306) A RESOLUTION authorizing the issuance and sale at negotiated dollars (\$42,500,000.00) principal amount of City of Roanoke, Virginia, General Obligation Public Improvement Bonds; fixing the form, denomination and certain other details of such bonds and delegating to the City Manager and the Director of Finance authority, among other things, to select an underwriter for such bonds, to execute and deliver to such underwriter a bond purchase contract by and between the City and such underwriter, to determine the aggregate principal amount of such bonds, the maturity dates of such

bonds and the principal amounts of such bonds maturing in each year, the interest payment dates for such bonds and the rates of interest to be borne by such bonds, the redemption provisions and redemption premiums, if any, applicable to such bonds and to appoint an escrow agent for the bonds to be refunded from the proceeds of such bonds; authorizing the preparation of a preliminary official statement and an official statement and the delivery thereof to such underwriter; authorizing the execution and delivery of a continuing disclosure certificate relating to such bonds, authorizing the execution and delivery of an escrow deposit agreement relating to the refunded bonds; authorizing the City Manager and the Director of Finance to appoint a verification agent; authorizing the City Manager and the Director of Finance to designate the refunded bonds for redemption; and otherwise providing with respect to the issuance, sale and delivery of such bonds and the refunding of the refunded bonds.

(For full text of resolution, see Resolution Book 70, Page 229.)

Council Member Dowe moved the adoption of Resolution No. 37356-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

TAXES: The Director of Finance submitted a written report advising that the Personal Property Tax Relief Act (PPTRA or the Act) of 1998 established a state-wide program to provide relief to owners of personal use motor vehicles; the 1998 Act envisioned a five year phase-in of relief expressed as a percentage of the bill related to the first \$20,000.00 of personal use vehicle value; costs soared, and the percentage has been frozen at 70 per cent since 2001.

It was further advised that in 2004 and 2005, additional legislation was passed to amend the original Act; the legislation capped PPTRA at \$950 million for all Virginia localities for tax years 2006 and beyond; PPTRA funds are allocated to individual localities based on each government's pro rata share of tax year 2004 payments from the Commonwealth of Virginia and the City's share of the \$950 million is \$8,075,992.00.

It was explained that at the October 17, 2006, City Council meeting, Ordinance No. 37221-101705 amended the City Code to provide for implementation of 2004-2005 changes to the Personal Property Tax Relief Act (PPTRA) of 1998, which included the following:

1. The City chose the "Specific Relief" method (percentage reduction) of computing tax relief.
2. The City will allocate the relief at a single percentage across the board to the first \$20,000.00 of personal vehicle value.
3. The City will continue to fully exempt vehicles valued at \$1,000.00 and below from taxation.
4. The Treasurer is authorized to "balance bill" any taxes from 2005 and prior that are still delinquent at September 1, 2006, or when State funding for tax relief is depleted.

It was explained that City staff computed the effective reimbursement rate based upon both historical trends and the current tax assessment book; the PPTRA Allocation Model, developed by the Commonwealth of Virginia, was used to assist with the analysis in determining the rate for the City which is 66.19%; this percentage is similar to neighboring localities that are ready to adopt, or have already adopted, their relief percentages; Roanoke County adopted 65.13%, and the Town of Vinton relief rate will be 65.98%; Franklin County is estimating 64.21%; Northern Virginia localities are reporting lower percentages of relief because they have a greater growth in the number of vehicles that have been reported; and City Council is required by the Commonwealth of Virginia to annually adopt a resolution setting the percentage relief for personal property tax for that year.

The Director of Finance advised that the percentage relief is calculated to distribute the \$8,075,992.00 block grant allocation from the Commonwealth of Virginia in the manner abovedescribed; acknowledging that the calculated percentage relief is an estimate, total personal property tax collected should be approximately the same as if the previous assessment method of personal property tax were in place; and although the majority of funds from the Commonwealth will be received in July 2006, (fiscal year 2006-2007), the City will accrue funds in the 2005-2006 fiscal year for accounting purposes so that the City's budget will be balanced.

The Director of Finance recommended that Council adopt a resolution establishing the percentage for personal property tax relief at 66.19% for the City of Roanoke for the 2006 tax year.

Council Member Cutler offered the following resolution:

(#37357-040306) A RESOLUTION setting the allocation percentage for personal property tax relief in the City of Roanoke for the 2006 tax year.

(For full text of resolution, see Resolution Book 70, Page 245.)

Council Member Cutler moved the adoption of Resolution No. 37357-040306. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea and Mayor Harris-----6.

NAYS: None-----0.

(Council Member McDaniel was absent.)

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the month of February 2006.

(For full text, see Financial Report on file in the City Clerk's Office.)

The Director of Finance advised that the City's adopted 2006 fiscal year budget anticipated 5.7 per cent revenue, compared to the 2005 fiscal year adopted budget; revenues increased by approximately 5.6 per cent through February, 2006; sales tax is up about 5.4 per cent, meals tax is up about 5.8 per cent, business license tax is up about 2 per cent, and for the first time, the transient room tax is up almost 12 per cent, which is an indicator of the number of people who are visiting the City of Roanoke either on business or for pleasure. He stated that the expenditure side of the budget has grown about 5.4 per cent.

There being no further discussion and without objection by Council, the Mayor advised that the Financial Report for the month of February 2006 would be received and filed.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

POLICE DEPARTMENT-FIRE DEPARTMENT-NEWSPAPERS: Ms. Zoe Stennett, 2531 Peters Creek Road, N. W., expressed concern with regard to a recent newspaper article containing information about an e-mail from a reporter at *The Roanoke Times* to the Mayor. She also expressed concern with reference to alleged bias in reporting by *The Roanoke Times* which has reached the point of misinforming readers. She spoke in support of higher wages for the City's public safety employees and a School Board that is elected by the citizens of Roanoke.

YOUTH-SPORTS ACTIVITIES: Mr. James Polk, 1610 Rugby Boulevard, N. W., requested funding assistance from the City to secure a building for a year round youth sports center program.

The Mayor advised that Mr. Polk's request would be referred to the City Manager for response.

COMPLAINTS-HOUSING/NEIGHBORHOOD CODE ENFORCEMENT: Mr. Robert N. Richert, 415 Allison Avenue, S. W., spoke with regard to the 9:00 a.m. Council briefing on the City's Cooperative Code Enforcement Initiative. He stressed the importance of educating citizens on an appropriate system for tracking complaints. As history, he advised that two years ago, the tracking system consisted of telephone calls and written lists, etc., which were ineffective, and website citizen input was initiated which offered the advantage of a tracking number that could be referenced, as well as an e-mail exchange as the complaint moved through the process. He stated that any new verification system initiated by the City must address a specific problem; i.e.: as long as City staff has the option/authority to close specific issues without resolution,

the system will lose its effectiveness and lead to frustration by citizens. He added that on a number of occasions, citizens were advised by City staff that a complaint would be included on the Permits Plus System, which is the City's system that tracks actual legal action of formal letters, however, more than 50 per cent of the time, the complaint/issue was not listed on the Permits Plus System; therefore, the level of frustration by neighborhood representatives was high. He stressed the importance that any new system initiated by the City will have the capability to track unresolved issues.

Mr. Richert called attention to Miller's Hill, which is a significant City and neighborhood investment on Day Avenue, S. W., and advised that if the problem of prostitution, drug distribution, and Code enforcement issues in the Mountain, Elm, Day and Marshall Avenue corridor is not adequately addressed, the Miller's Hill project could fail.

CITY MANAGER COMMENTS:

REFUSE COLLECTION-CLEAN VALLEY COUNCIL: The City Manager advised that on April 1, 2006, traditional clean up activities commenced in the City of Roanoke, and she encouraged citizens to use the services of the City's Solid Waste Management Department to make the community as clean as possible.

SISTER CITIES: The City Manager advised that the 42nd Anniversary of Roanoke Valley Sister Cities was celebrated on Saturday, April 1, 2006, at Roanoke College. She further advised that the Executive Director of Sister Cities International served as guest speaker for the event and was most complimentary of the Roanoke Valley Sister City relationship, the exchange programs with the various Sister Cities and the medical, social and educational programs that Roanoke enjoys with its seven Sister Cities.

ROANOKE CIVIC CENTER-SPORTS ACTIVITIES: The City Manager called attention to correspondence and newspaper articles indicating that the National Basketball Association is uncertain as to plans regarding the future of the Roanoke Dazzle in the Roanoke community. She stated that the City of Roanoke worked very hard as a community to bring semi-professional sports to the Roanoke Valley, and Roanoke has done much to entice and to keep sports teams through improvements to the Roanoke Civic Center and minimal operating charges. She encouraged citizens of the Roanoke Valley to support the Roanoke Dazzle basketball team and the Roanoke Valley Vipers hockey team through the purchase of season tickets.

Council Member Lea inquired if ticket prices for Roanoke Dazzle basketball games have been reviewed; whereupon, the City Manager advised that multiple pricing schemes have been enacted to attract the average person, and unused season tickets can be applied to another game. She stated that both teams have become more sensitive to ticket prices, and have a keen interest in filling seats as an indication of ongoing support for the teams.

There being no further business, the Mayor declared the Council meeting adjourned at 4:05 p.m.

A P P R O V E D

ATTEST:
Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

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